

SENATE BILL No. 520

By Committee on Judiciary

2-6

AN ACT establishing the office of district attorney in the nineteenth judicial district; amending K.S.A. 2001 Supp. 22a-107 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) There is hereby established the office of the district attorney in the nineteenth judicial district.

(b) The person holding the office of the county attorney in Cowley county on July 1, 2002, shall become the district attorney of the nineteenth judicial district and the office of the county attorney in such judicial district is abolished on such date. Commencing with the general election in 2004, and at the general election every four years thereafter, a district attorney shall be elected in the judicial district for a four-year term, commencing on the second Monday in January next following the election.

(c) The district attorney authorized by this section is hereby declared to be an executive officer of the nineteenth judicial district. The office constitutes a separate entity with such judicial district for administrative purposes. In no event shall the district attorney be deemed an officer of any county.

(d) Before entering upon the duties of the office, the district attorney shall take the oath of office required by law for public officers and shall execute a good and sufficient surety bond in the manner provided by K.S.A. 75-4101 *et seq.*, and amendments thereto.

(e) The provisions of K.S.A. 22a-102, 22-103, 22a-104, 22a-105, 22a-106 and 22a-107, and amendments thereto, shall apply to the office of district attorney established by this section.

Sec. 2. K.S.A. 2001 Supp. 22a-107 is hereby amended to read as follows: 22a-107. Whenever in any of the statutes of this state the term "county attorney" is used, it shall be construed to include district attorneys provided for by K.S.A. 22a-101, 22a-108 and K.S.A. 2001 Supp. 22a-109 *and section 1*, and amendments thereto, unless the context otherwise requires.

Sec. 3. K.S.A. 2001 Supp. 22a-107 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.